

24th & William Urban Village Plan



Approved by the City Council on November 19, 2013

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INTRODUCTION

The 24th & William Urban Village Plan, together with the Roosevelt Park, Five Wounds, and Little Portugal Urban Village Plans, are part of the first Urban Village Plans prepared by the City and the community to further the Urban Village strategy of the new Envision San José 2040 General Plan (General Plan). As a City Council approved policy document for the future growth of the 24th & William Urban Village, this Village Plan establishes a framework for the transition of the 24th and William Street Urban Village into a vibrant mixed-use and pedestrian-oriented district that supports the surrounding neighborhoods and is integrated with the planned Five Wounds Trail. This Village Plan includes goals and policies designed to shape both future public and private development.

BACKGROUND AND PLANNING PROCESS

The planning process for the 24th & William Urban Village really began with the Five Wounds/Brookwood Terrace Strong Neighborhoods Initiative (SNI) Plan that was completed in August of 2002. This SNI Plan outlined the community's vision and land use direction for this Village as well as the other three Urban Villages located within its boundary. While the SNI Plan was accepted by the City Council in 2002 as the community's vision and priorities for the Five Wounds Area, the SNI Plan and its Land Use recommendations for the 24th & William Urban Village area were not approved by the City Council and did not become official City Policy.

In 2010, the vision and recommendations for the future of the Five Wounds area, including the 24th & William Urban Village, were further developed as part of the Five Wounds/Brookwood Terrace Bay Area Rapid Transit (BART) Station Area Community Concept Plan. This BART Station Area Plan was developed by the community and San José State University, with support from the City, under the umbrella of CommUniverCity. Completed in September of 2010, this BART Station Area Plan refined the land use, urban design, circulation and parks and open space recommendations for 24th & William and the three other Urban Villages in the Five Wounds/Brookwood Terrace area. The recommendations of this BART Station Area Plan were not, however, formally approved as City policy by the City Council.

In 2011, at the conclusion of the Envision San José 2040 General Plan (General Plan) Update process, the City's first Urban Village planning processes were initiated in the Five Wounds/Brookwood Terrace area, using the CommUniverCity BART Station Area Plan as the starting point. The visions, goals, and many of the policy recommendations of the CommUniverCity BART Station Area Plan were integrated into the 24th & William, and the three other Village Plans (i.e. Roosevelt Park, Little Portugal, and Five Wounds), as consistent with the strategies of the Envision San José 2040 General Plan. Unlike the prior planning processes, these four Village Plans were then approved the City Council as the City's policy for the future growth of these Urban Villages.

The planning process for the 24th & William Urban Village Plan was combined with the Planning process for the Five Wounds, Roosevelt Park and Little Portugal Urban Village Planning processes. The planning process first consisted of two community outreach meetings where staff explained the strategies of the recently adopted General Plan's Major Strategy and how they would be implemented in the Five Wounds/Brookwood Terrace area. Following this outreach, two additional community workshops were held

that each attended by approximately 40 to 50 residents, and property and business owners. At the first workshop, on July 23, 2011, the community provided comments and direction on a draft Land Use Plan. At the second community workshop, the community reviewed and provided input on the refined Land Use and Urban Design Plan, as well as the Circulation, Streetscape, Parks and Trails, and Parking recommendations.

In 2018, additional coordination with community leaders was completed to establish the Implementation Priorities for this Urban Village plan. These Implementation Priorities are the same priorities that are identified in the Roosevelt Park, Little Portugal, and Five Wounds Urban Village Plans.

Urban Village Implementation and Amenities Framework

As part of the preparation of an urban village plan, the General Plan states, “consider financing mechanisms which may be needed to deliver public improvements, affordable housing, amenities, and the like envisioned with the Urban Village Plan.” On May 22, 2018, the City Council adopted City Council Resolution No. 78603 for the Urban Village Implementation and Amenities Framework (Framework), as maybe amended in the future, to facilitate a rezoning process to allow the conversion of employment lands to residential or residential mixed-use uses consistent with the Implementation Framework within adopted urban village plans. The role of the Framework is to:

1. Outline a zoning process that will provide a more streamlined entitlement process for developments that are consistent with an urban village plan.
2. Provide the community and developers with a mechanism to have residential or residential mixed-use projects build or contribute towards payment for the amenities and additional public improvements identified in an urban village plan.

This Implementation Framework was incorporated into an updated Implementation Chapter for the 24th & William Village Plan, which was approved by Council on December 11, 2018.

LAND USE

Land Use Goal: Maintain and enhance the 24th & William Urban Village as a complete community by further integrating a mix of neighborhood serving commercial uses and employment uses within the Village, while also allowing for the integration of additional housing.

The 24th & William Urban Village area has an existing land use fabric that is more common in older more established communities in the United States but is unique for most of San José. While the community is largely a single-family neighborhood, it also contains a corner market, a grocery store, a bakery, a coin laundry and a number of other neighborhood serving retail uses that are within walking distance for many residents. The area also includes a number of industrial, auto related, small manufacturing and food processing businesses. While these uses at times contribute to the gritty character of the area, they also provide employment opportunities for people within the immediate and surrounding communities.

By containing housing, businesses and neighborhood serving retail, the 24th & William Urban Village is in many ways a “complete” community, where people can live, shop and work within a small area. This is one of the key characteristics that define an Urban Village.

The goal of this Village Plan is to maintain and then expand this mix of land uses to reinforce the 24th & William Urban Village as a complete mixed-use community. While light industrial type uses could remain, and expand in identified locations, this Village Plan does envision a transition to more commercial type uses over time. As part of the planning process, the community was very supportive of encouraging arts related uses within this Village, particularly in the area north of San Antonio Street and bisected by the planned Five Wounds Trail, an area that currently contains a mix of industrial businesses and single-family homes. The industrial properties and buildings in the area are of the type that often works well for artists and arts organizations, as the rents are relatively low.

24th Street, and in particular, the intersection of 24th and William Streets, is intended to be the primary community hub for both this Village and the adjacent surrounding neighborhoods. The intersection of 24th and William Street presently contains a number of neighborhood serving retail uses. This Village Plan intends to retain these types of uses while allowing for additional neighborhood serving retail and other small scale

commercial or office uses through the intensification of existing commercial properties or the redevelopment of identified residential and underutilized commercial and industrial properties.

While, the primary land use emphasis of this Urban Village Plan is to maintain the existing level of employment and commercial uses, and then facilitate an approximately 18 percent increase in the square footage of employment uses, this Village Plan ultimately will support mixed-use residential/commercial and fully commercial development along the 24th Street Corridor between San Antonio Street to just south of William Street. As discussed below, in the Phasing of Residential Development (Section B) of this Chapter, new residential uses integrated with employment uses, will be allowed by this Village Plan when the City Council decides to allocate housing capacity from Growth Horizon III and the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement (FFGA) for the 28th Street BART station. The inclusion of additional residential development and residents would further support existing businesses in the area, as well as new businesses desired along 24th Street, and would contribute to the overall vitality of the area.

New residential development is envisioned in a vertical mixed-use format with apartments or condominiums located above retail stores or offices; however, on larger properties, or where properties are aggregated, residential and commercial uses could be developed side by side in a horizontal mixed-use format. As described under the description of the Urban Village Land Use designation section below, mixed-use development would need to maintain and potentially expand upon the existing amount of commercial space on a given site.

A. PLANNED GROWTH CAPACITY AND OBJECTIVES

This Village Plan establishes a commercial/employment square footage objective and residential unit planned capacity for the overall Village as described below.

EMPLOYMENT GROWTH

The overall objective for the whole Village is to develop an additional 30,000 square feet of non-residential/employment square footage over the existing amount of commercial and industrial square footage. With approximately 167,000 square feet of existing industrial and commercial space, this objective represents an approximately 18 percent increase in the amount of employment square footage above existing levels. The Village

employment growth objective is based upon the “jobs first” Envision San José 2040 General Plan planned capacity of 100 new jobs for the 24th & William Urban Village. The non-residential/employment square footage objective was calculated per the methodology outlined in the General Plan by assuming that each job requires, on average, 300 square feet of gross building area, and then multiplying 100 by 300.

HOUSING GROWTH

The planned dwelling unit capacity for the Village overall is 217 new housing units, to be developed as part of mixed-use development. This residential unit capacity is the maximum new residential growth planned for the 24th & William Urban Village as outlined in the Envision San José 2040 General Plan. This Village Plan recognizes that housing can contribute to creating a vibrant Urban Village; however, because the Envision San José 2040 General Plan is a jobs-focused Plan, it does not establish a residential unit objective, but rather a maximum number of housing units that is planned to be accommodated in this Village.

B. PHASING OF RESIDENTIAL DEVELOPMENT

To achieve San José’s economic and fiscal goals, the San José 2040 General Plan meters out planned residential growth into three Growth Horizons (Horizon I, II and III), as per General Plan Implementation Policy IP-2.1. Residential growth is not supported within an Urban Village until residential growth capacity is allocated from a given Horizon or if a General Plan Amendment is pursued to modify the Plan Horizon for an Urban Village, as allowed by General Plan Implementation Policy IP-3.5. The planned residential growth in the 24th & William Urban Village is in Horizon III. Non-residential or employment development is not subject to the Growth Horizons and can occur at any time, consistent with the goals and policies of the General Plan and the applicable Urban Village Plan.

In addition, the General Plan contains Land Use Policy LU-6.1 which only allows conversion of Light Industrial, Heavy Industrial or other employment uses to non-employment uses (i.e. residential uses) in the 24th & William Urban Village, with the completion of the planned 28th Street BART Station. As a result of both of these policies, there are two different rules regarding when residential can occur within this Village. The first rule applies to areas presently designated, and shown in the 24th & William Existing/Interim Land Use Diagram (Figure 1), as Light Industrial or Combined Industrial/Commercial. The other rule applies to lands designated

Neighborhood/Community Commercial. Both of these rules are described in the next section below.

Residential growth on lands designated by this Urban Village Plan as Residential Neighborhood, Mixed-Use Neighborhood or Mixed-Use Commercial are not subject to the policies related to the phasing of residential development, and can be approved at any time, consistent with the given land use designation of the area, and the goals and policies of the General Plan and this Village Plan.

1. PHASING OF RESIDENTIAL GROWTH ON LAND DESIGNATED LIGHT INDUSTRIAL OR COMBINED INDUSTRIAL/COMMERCIAL

Lands designated on the 24th & William Existing/Interim Land Use Diagram (Figure 1) as Light Industrial or Combined Industrial/Commercial do not allow residential uses until the Valley Transportation Authority secures a Full Funding Grant Agreement for the planned 28th Street BART station. Consequently, the land use designation of these Light Industrial or Combined Industrial/Commercial areas will not be changed to Urban Village (through a General Plan Amendment process), as shown on the 24th & William Future Land Use Diagram (Figure 2), or another designation that allows housing, until the VTA secures a Full Funding Grant Agreement (FFGA) for the 28th Street BART station. General Plan Policy LU-6.1 precludes the allocation of planned residential capacity onto these employment lands though the use of either the Signature Project policy (Implementation Policy IP-5.10) or Residential Unit Capacity “Pool” policy (Implementation Policy IP-2.11) in the General Plan. The Phasing of Residential Growth on Lands Designation Neighborhood/Community Commercial (Section B.2) below discusses these policies in more detail.

2. PHASING OF RESIDENTIAL GROWTH ON LANDS DESIGNATED NEIGHBORHOOD/COMMUNITY COMMERCIAL

The phasing of residential uses on lands designated Neighborhood/Community Commercial is subject to the General Plan’s Growth Horizons. Given that the 24th & William Urban Village is in Growth Horizon III, the General Plan does not support residential growth on lands designated Neighborhood/Community Commercial until the City Council decides to allocate residential growth capacity to Horizon III. The City Council can also decide to move this Urban Village into another growth Horizon as part of an Annual Review of the General Plan, if the City is moving towards achievement of

its employment and fiscal goals, as allowed by General Plan Implementation Policy IP-3.5.

The General Plan however contains two implementation policies which gives the City Council some flexibility to approve housing before a residential Growth Horizon is activated. These two General Plan policies allow flexibility to allow mixed-use commercial/residential development within areas designated Neighborhood/Community Commercial prior to the allocation of residential growth from Horizon III, if this development is consistent with the goals and policies of this Urban Village Plan. The first policy allows mixed-use residential/commercial projects to be approved ahead of a Growth Horizon if a project includes a significant jobs component and meets the other criteria of a Signature Project (for a description of a Signature Project, see General Plan Implementation Policy IP-5.10). The second implementation policy provides a “pool” of 5,000 residential units that the Council can allocate to Signature Projects and/or Urban Villages that are not within a current Growth Horizon but have a Council-approved Village Plan (General Plan Implementation Policy IP-2.11).

C. LAND USE DIAGRAM

This Village Plan contains two Land Use diagrams. The first diagram (Figure 1) is the Existing/Interim Land Use diagram that identifies land uses and intensity of uses that are supported by this Village Plan, prior to the allocation of Horizon III growth and when the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the 28th Street BART station. The second diagram (Figure 2) is the Future Land Use diagram that is proposed with the allocation of Horizon III growth and when the VTA secures a Full Funding Grant Agreement for the 28th Street BART Station. Both are described in more detail below.

1. EXISTING/INTERIM LAND USE DIAGRAM

The Existing/Interim Land Use diagram is shown in Figure 1. This diagram is a largely a continuation of the Land Use diagram in the Envision San José General plan approved by the City Council on November 1, 2011. To further the achievement of the employment growth objective for this Village, this diagram includes opportunities for new commercial and industrial development, however, it does not support new residential

development integrated into these employment areas. These employment areas are designated on the diagram as Neighborhood/Community Commercial, Combined Industrial/Commercial, and Light Industrial. The Mixed-Use Commercial Land Use Designation is also largely an employment designation, but does allow some flexibility to include housing integrated with commercial uses.

2. FUTURE LAND USE DIAGRAM

The Future Land Use Diagram (Figure 2) is the planned land use diagram that would be approved by the City Council through a General Plan amendment process once the City Council allocates residential growth from Horizon III and once the VTA has secured a Full Funding Grant Agreement for the 28th Street BART station. Because, as described in the Phasing of Residential Development (Section B) above, there are different policies that affect the phasing of new residential uses, this Future Land Use Diagram could be approved in stages. The areas designated Neighborhood/Community Commercial could be converted to Urban Village Land Use designation through a General Plan amendment process when the Council decides to allocate growth from Horizon III. Per General Plan Land Use Policy LU-6.1, the areas currently designated Combined Industrial/Commercial and Light Industrial might be converted later once BART station is planned and scheduled for completion.

While it is not anticipated that BART will be completed before allocation of Horizon III growth, if BART is completed first, the City Council could amend the General Plan through a General Plan Amendment process to allow residential uses on the Combined Industrial/Commercial and Light Industrial areas (as shown in Figure 1) prior to Horizon III allocation.

24th & William Existing/Interim Land Use Diagram

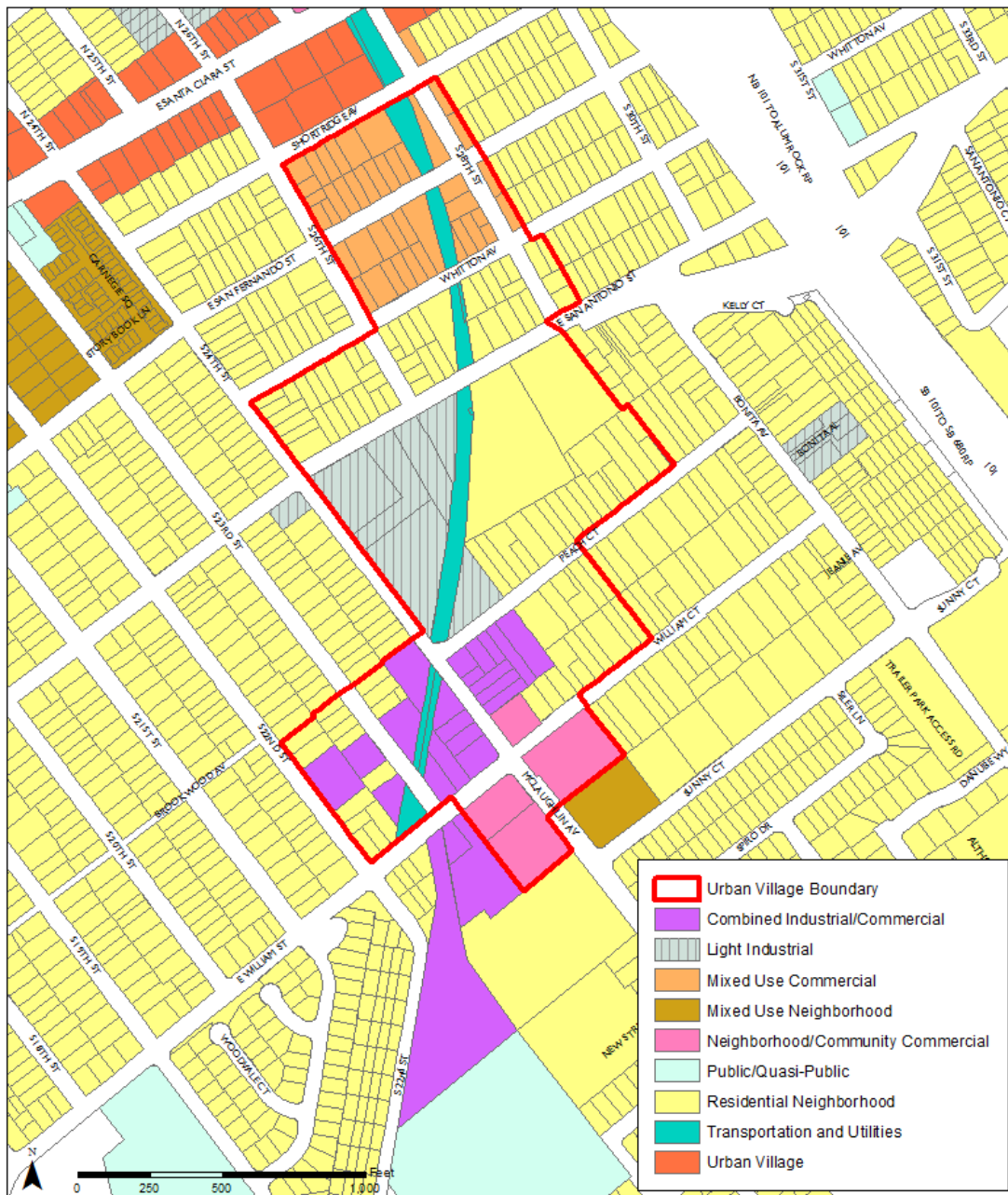
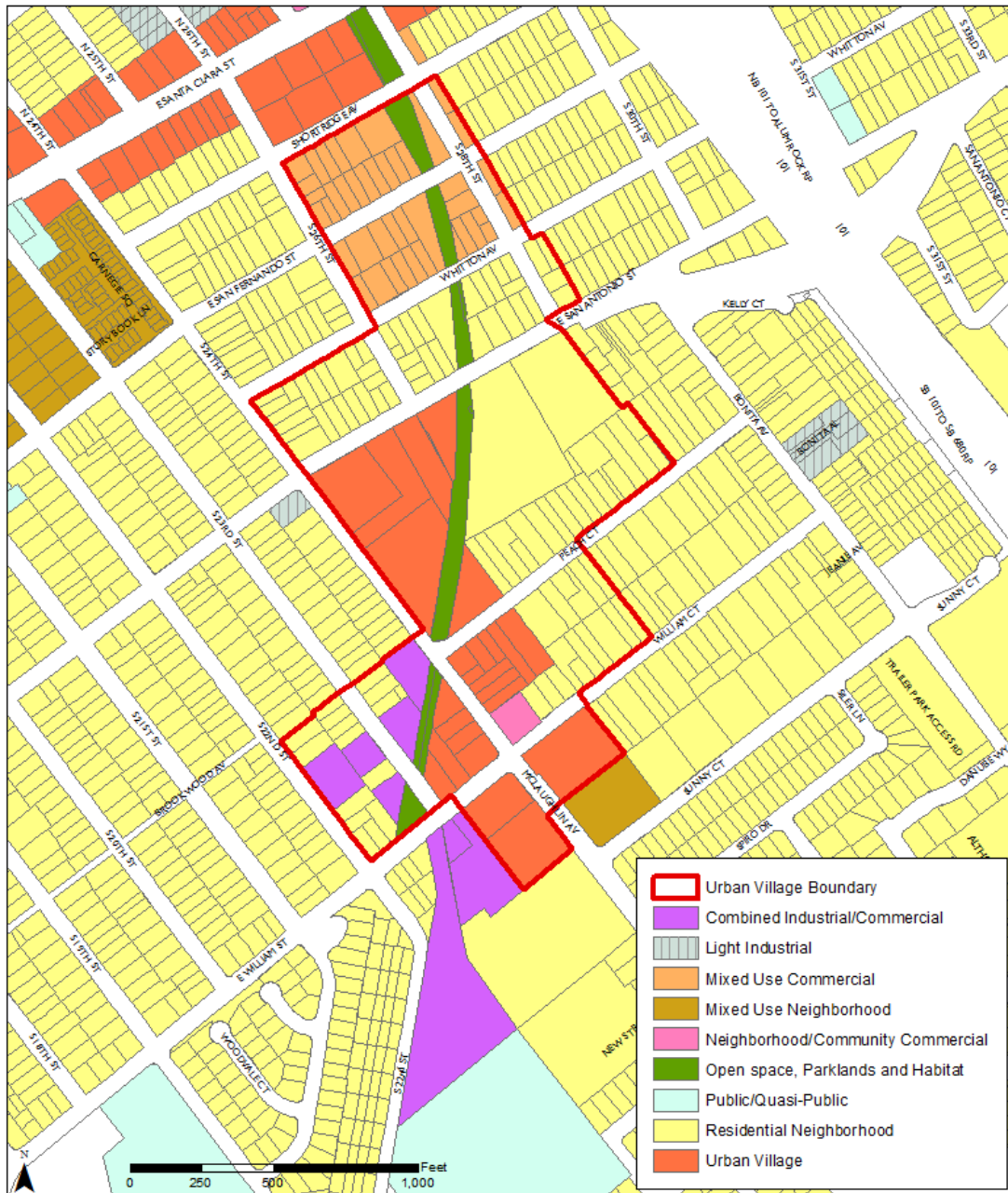


FIGURE 2
24th & William Future Land Use Diagram



D. LAND USE DESIGNATIONS

The Land Use Designations section is divided into two sections. The first only discusses those designations that are included in the Existing/Interim Land Use Diagram (Figure 1). The second section discusses only those land use designations on the Future Land Use Diagram (Figure 2) which would be added through a General Plan amendment process.

It should be noted that rezoning may be required for consistency with the land use designations. Furthermore, any future development proposal requiring rezoning for residential components (e.g., land use designation of Urban Village, Mixed-Use, and Urban Residential) will be required to comply with the Implementation Framework.

1. EXISTING/INTERIM LAND USE DESIGNATIONS

Below are descriptions of the land use designations that are applied in the Existing/Interim Land Use Diagram (Figure 1) that is in place until the City Council allocates growth from Horizon III and until the VTA secures a Full Funding Grant Agreement for the 28th Street BART Station.

Mixed-Use Commercial

Density: Up to 35 DU/AC; FAR 0.5 to 1.5 (1 to 3 stories) for mixed-use projects that include residential, with a minimum commercial FAR of 0.5; FAR Up to 1.5 (1 to 3 stories) for stand-alone non-residential uses.

The Mixed-Use Commercial designation is intended to accommodate a mix of commercial and residential uses with an emphasis on commercial activity as the primary use and residential activity allowed in a secondary role. Two blocks are designated with this land use designation. These blocks are bounded by Shortridge Avenue, South 28th Street, Whitton Avenue, and South 26th Street, and presently contain a mix of single-family homes and industrial uses, with the industrial uses generally clustered around the former railroad right-of-way/planned Five Wounds Trail. The commercial uses that are envisioned and supported by this designation include neighborhood serving retail and small offices. This land use designation also supports art related uses including artist studios, art education uses, and rehearsal and production uses. Low impact industrial or light manufacturing uses could be appropriate within this land use designation if they are compatible with and do not pose a hazard to surrounding residential uses.

The Mixed-Use Commercial land use designation does support residential uses as part of a mixed-use development, but not as a stand-alone use. New development that includes

residential shall include a minimum commercial FAR of 0.5. The type of residential envisioned for this area includes live/work uses. New non-residential uses that do not include residential do not have a minimum FAR.

The area designated Mixed-Use Commercial contains a number of existing single family homes and some duplexes. The intention of this Village Plan is that these existing residential only uses can remain indefinitely. Requirements for the inclusion of commercial or non-residential uses only apply when an existing residential property is redeveloped.

Neighborhood/Community Commercial

Density: Varies

The Neighborhood/Community Commercial Land Use Designation supports a broad range of commercial uses such as neighborhood serving retail stores and services, office uses and private community gathering facilities including places of worship. Residential uses are not supported by this Land Use Designation.

The only properties on the Existing/Interim land use diagram that are designated Neighborhood/Community Commercial are located at or adjacent to the northeast, southeast and southwest corner of 24th and William Streets. All, but one of these properties, are ultimately planned to be changed to an Urban Village Land Use designation with Council allocation Growth Horizon III. This one property that is intended to remain Neighborhood/Community Commercial is located on the northeast corner of 24th Street and William Court. This property contains a single-family house that is estimated to be over 100 years old. A historic analysis has not been conducted for this property; however, a survey of this property could determine that this property is eligible for the City's historic inventory. The goal of this Village Plan is to preserve this early 20th century single family house, while allowing the structure to be used for neighborhood serving commercial uses or offices uses. Although the Neighborhood/Community Commercial designation does not allow the redevelopment of the site to new residential uses, this Village Plan does support the continued residential use of this structure.

To encourage preservation of the structure on the northeast corner of 24th and William Street, the allowed FAR of this property is up to 0.25 (1 to 2 stories). The allowed FAR on the other Neighborhood/Community Commercial properties, which are located south of William Street, is an FAR up to 2.0 (1 to 4 stories).

Combined Industrial /Commercial

Density: FAR Up to 1.5 (1 to 3 stories)

The Combined Industrial/Commercial Land Use designation allows a significant amount of flexibility for commercial, office or industrial uses or a compatible mix of these uses. Most of the properties designated Combined Industrial/Commercial contain existing industrial and commercial retail uses.

While this designation supports industrial uses, this Village Plan only supports industrial uses that are compatible with the surrounding residential neighborhood and to do not detract from the quality of life of surrounding residents either because of noise, air, operational, aesthetic, or other impacts. Industrial uses adjacent to the Five Wounds Trail should also not negatively impact the functionally or visual character of the trail.

Light Industrial

Density: FAR Up to 1.5 (1 to 3 stories)

The Light Industrial Land Use designation is intended for a wide variety of industrial uses and excludes uses with unmitigated hazardous or nuisance effects. Warehousing, wholesaling, and light manufacturing are examples of the type of uses supported under this designation. The area designated Light Industrial on the Existing/Interim Land Use Diagram (Figure 1) is generally a triangular area south of San Antonio Street, east of 24th Street, and north of Peach Court. This area is planned to be changed to an Urban Village land use designation after the VTA secures a Full Funding Grant Agreement for the 28th Street BART station, allowing for the conversion of this area to commercial type uses, and mixed-use residential/commercial developments.

Transportation and Utilities

Density: FAR N/A

The former Western Pacific Railroad right-of-way and future planned Five Wounds Trail corridor is designated Transportation and Utilities. While this designation is applied to active or inactive railroad lines and high-voltage power line corridors, it also supports the development of a trail within the 24th & William Urban Village, given that the railroad is no longer active. This designation also supports the use of the former railroad right-of-way for staging and other activities needed for the construction of BART.

Residential Neighborhood

Density: Typically 8 DU/AC (Match existing neighborhood character);

FAR up to 0.7 (1 to 2.5 stories)

A significant portion of the 24th & William Urban Village is designated Residential Neighborhood. These largely single-family areas were included as part of the Village Plan for contextual purposes and it is not the intent of this Village Plan to intensify or change the existing and predominately single-family character of these areas. The residential density that would be supported under this designation is generally 8 dwelling units to the acre. In areas where there are higher prevailing densities (i.e. more than 50 percent of the development on both sides of a given block is greater than 8 dwelling units to the acre), higher residential densities could be allowed. For more information on the type and intensity of uses supported under the Residential Neighborhood Land Use designation refer to Chapter 5 (Interconnected City) of the General Plan.

INTERIM LAND USE POLICIES

Interim Land Use Policy 1: Until such time the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the planned 28th Street BART station, this Village Plan supports uses consistent with those allowed by the Light Industrial or Combined Industrial/Commercial General Plan Land Use designations on those properties designated as Light Industrial or Combined Industrial/Commercial, respectively, on the Existing/Interim Land Use Diagram (Figure 1).

Interim Land Use Policy 2: Until such time the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the planned 28th Street BART station, this Village Plan supports uses consistent with those allowed by the Neighborhood/Community Commercial General Plan Land Use designation on those properties designated as Neighborhood/Community Commercial on the Existing/Interim Land Use Diagram (Figure 1).

Interim Land Use Policy 3: No residential development shall occur on properties that are designated Light Industrial or Combined Industrial/Commercial on the Existing/Interim Land Use Diagram within the Village Plan boundary, until the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the planned 28th Street BART Station.

Interim Land Use Policy 4: No residential development may occur on properties that are designated Neighborhood/Community Commercial on the Existing/Interim Land Use Diagram within the Village Plan boundary, until the City Council allocates residential

growth from Horizon III and the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the planned 28th Street BART Station.

2. LAND USE DESIGNATIONS ADDED TO THE FUTURE LAND USE DIAGRAM

Below is a description of the Urban Village Land Use Designation which will be applied with the City Council allocation of Growth from Horizon III and when the VTA secures a Full Funding Grant Agreement for the planned BART Station. To identify where this designation is planned to be applied refer to Figure 2 (24th & William Future Land Use Diagram).

Urban Village

Density: Up to 95 DU/AC; FAR 0.3 to 2.5 (1 to 4 stories) for mixed-use projects that include residential, with a minimum commercial FAR of 0.3; FAR Up to 2.5 (1 to 4 stories) for stand-alone non-residential uses.

The properties in the Future Land Use Diagram planned to be designated Urban Village are generally located along 24th Street south of San Antonio road, with a cluster at the intersection of William and 24th Streets. The Urban Village Designation supports a wide range of commercial uses, including retail sales and services, professional and general offices, and institutional uses. This land use designation is a commercial designation that will support residential uses in a mixed-use format. Mixed-use residential/commercial projects can be vertical mixed-use with ground floor commercial uses with residential uses above for example, or, where the aggregation of properties creates a larger site, they can be mixed horizontally, with commercial and residential uses built adjacent to each other, in one development. To meet the commercial/employment lands objective for this Village, mixed-use residential/commercial projects shall include a minimum FAR of 0.3 for commercial uses. Stand-alone residential projects that do not include a commercial component are not supported by the Urban Village land use designation in this Village Plan.

Open Space, Parkland and Habitat

Density: N/A

This designation allows a broad range of recreation or open space uses, including parks and trail uses. This designation is planned to be applied to the planned Five Wounds Trail corridor after the VTA has secured the Full Funding Grant Agreement for the BART system through the Five Wounds area.

E. LAND USE POLICIES

Land Use Policy 1: Create a mixed-use Urban Village that is pedestrian focused, provides employment, housing, and shopping opportunities, and enhances the quality of life for residents in surrounding communities.

Land Use Policy 2: The development of ground floor neighborhood serving retail along 24th Street and along William Street at its intersection with 24th Street, is encouraged on properties with an Urban Village land use designation.

Land Use Policy 3: Stand-alone residential projects are prohibited in areas with an Urban Village Land Use designation and residential projects shall include commercial uses at an FAR of 0.3 or greater.

Land Use Policy 4: New mixed-use residential/commercial projects located in the Mixed-Use Commercial Land Use designation shall provide a minimum of 0.5 FAR for the commercial portion.

Land Use Policy 5: Industrial uses that could have health impacts on the surrounding residential neighborhood or would have significant operational or negative visual impacts should not be allowed.

Land Use Policy 6: Preservation of the approximately 100-year-old home at the northeast corner of 24th and William Street is encouraged. Exterior modifications or use of materials that detract from the historic or architectural integrity of the structure are discouraged. To further its preservation, this structure could continue to be used as single-family home, or could be converted to live/work, small office, or neighborhood serving retail business.

Land Use Policy 7: Drive-through uses shall not be permitted within the 24th & William Urban Village Plan.

Land Use Policy 8: To achieve the goal that 25% or more of the units built are deed restricted affordable, with 15% of the units affordable to household with income below 30% of Area Median Income, integrate affordable housing within the 24th & William Urban Village by prioritizing the application of the City's affordable housing programs within this Village, and by encouraging residential development to include deed restricted affordable units within a given project, as stated in General Plan Policy IP-5.1, as may be amended in the future.

URBAN DESIGN

Urban Design Goal: Create an attractive Urban Village that contributes to the economic vitality of the Five Wounds/Brookwood Terrace community, creates a vibrant pedestrian environment, and contributes towards a strong and positive community identity through the high-quality and thoughtful design of buildings and public spaces.

The quality of urban design, from the architecture of new buildings and materials used, to the massing and placement of the buildings in relationship to the street, each other, and the surrounding neighborhood, will play a critical role in creating a great place. If successful, high-quality design in the 24th & William Urban Village will contribute to the positive identity of the area and set it apart from other areas of the City as place to live, shop and work.

This Village Plan provides urban design policies intended to achieve the Urban Design Goal, and to guide the growth of this Village with development that is of high-quality and lasting design, is pedestrian oriented, and is relatively urban in scale, with building along key properties along 24th Street envisioned to be between three and four stories.

A. BUILDING HEIGHT

The surrounding community has expressed support for the redevelopment of the existing, predominately single-story commercial and industrial buildings along 24th and William Streets with multi-story commercial or mixed-use residential/commercial development. However, the surrounding neighborhood is largely composed of one-story single-family homes, and as the area redevelops, it will be critical to ensure that new development is compatible and in scale and height. To ensure neighborhood compatibility, this Village Plan establishes the height limit for new commercial and high-density mixed-use residential/commercial development. Height limits for the Existing/Interim Land Use Diagram (pre-BART) are shown in Figure 3. Height limits for the Horizon III and completed BART station land use diagram are shown in Figure 4. The height limits established in the Village Plan are lower than the illustrative height ranges established in the Envision San José 2040 General Plan for the Combined Industrial/Commercial Land Use Designations.

Building Height Policies

Building Height Policy 1: Accommodate relatively higher density and intensity development in multi-story buildings in locations that are compatible with the surrounding neighborhoods.

Building Height Policy 2: The height of new development within the 24th & William Urban Village shall not exceed the height limits shown on the 24th & William Existing/Interim Height Limits (Figure 3), prior to the City Council opening Horizon III for residential development and when the Valley Transportation Authority (VTA) secures a Full Funding Grant Agreement for the planned 28th Street BART Station. The height of new development within the 24th & William Urban Village shall not exceed the height limits shown on 24th & William Future Height Limits (Figure 4), until the City Council opens Horizon III for residential development and when the VTA secures a Full Funding Grant Agreement for the planned 28th Street BART Station.

Building Height Policy 3: Non-habitable architectural projections, and mechanical and equipment rooms, and special architectural treatments (e.g., chimneys, weather vanes, cupolas, pediments, etc.) shall be permitted to project above the maximum height limit by 10 feet.

24th & William Existing/Interim Height Limits (Pre-BART Completion)

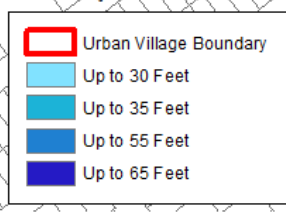
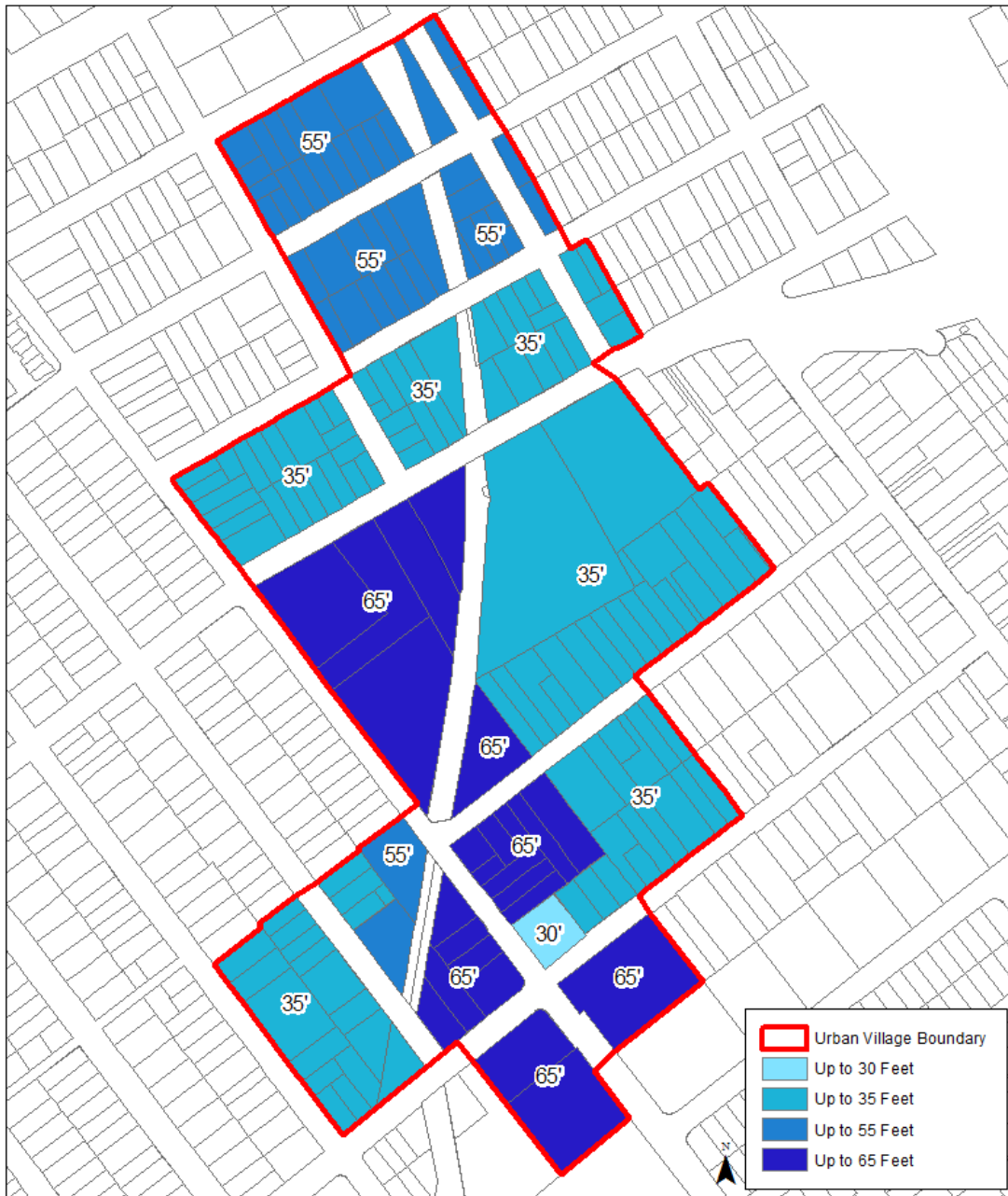


FIGURE 4
24th & William Future Height Limits (Post-BART Completion)



B. ARCHITECTURE

Building architecture, when thoughtfully designed, can contribute positively towards the identity of a district. This Village Plan intends that new buildings are of high-quality design that contributes to the positive sense of place and contributes to its economic and social vitality of the community. While the policies below provide a great degree of flexibility, the community expressed a strong preference for buildings built in a style that reflect the ethnic as well as architectural heritage of the area. The ethnic heritages of the area include the Portuguese and Mexican cultures. The architectural heritage includes styles that reflect these two cultures, as well as the Spanish Revival, Victorian, and Arts and Craft architectural styles.

Architecture Policies

Architecture Policy 1: The design of new development in the 24th & William Urban Village should contribute to the positive image and vitality of the area.

Architecture Policy 2: New development within the 24th & William Village is encouraged to be built in architectural styles that reflect the ethnic and architectural heritage of the area.

Architecture Policy 3: To create a visually rich and interesting built environment, the articulation of building façades (including incorporation of high-quality material) and variations in building planes and roof lines are encouraged in new development. New buildings should avoid the appearance of monolithic projects.

Architecture Policy 4: New commercial or mixed-use residential/commercial development should include decorative elements on building façades and entryways. The integration of unique, artisan, and artist-designed elements into the façade or public spaces that contribute to the ethnic and architectural heritage of this area is encouraged.

Architecture Policy 5: New fully commercial and mixed-use residential/commercial development should use high-quality and durable building materials on the buildings.

C. STREET FRONTAGE

For a pedestrian, the most important element of a building is the design of the ground floor. This Village Plan establishes the following policies to guide the sidewalk level design of new buildings along 24th Street/McLaughlin Avenue, William Street, William Court, San Antonio Street and Peach Court to ensure that this development contributes to a comfortable and visually engaging walking experience.

Street Frontage Policies

Street Frontage Policy 1: At least 70 percent of the frontage of building(s) containing ground floor commercial uses should be devoted to windows and entrance areas.

Street Frontage Policy 2: Large blank walls along public sidewalks and the Five Wounds Trail are discouraged. Where solid walls adjacent to sidewalks are necessary, the walls should include architectural elements, landscaping, and/or murals to add visual interest and soften the visual impact.

Street Frontage Policy 3: High visibility between the sidewalk and the interior of retail shops is encouraged through the abundant use of transparent openings in building façades.

Street Frontage Policy 4: The installation of awnings and canopies is encouraged in commercial areas to provide shelter and shade for pedestrians. Bulky awnings that obscure views of building façades are discouraged.

Street Frontage Policy 5: The use of tinted and overly reflective windows on the ground floor is discouraged.

Street Frontage Policy 6: Ground floor commercial space should have the primary building entry adjacent to and fronting the adjacent sidewalk.

Street Frontage Policy 7: New developments adjacent to public sidewalks should be designed with a strong street orientation, integrating design elements that contribute to the pedestrian environment.

D. TRAIL FRONTAGE

The development of the Five Wounds Trail is a top priority for the community. The success of this trail as a public space, where trail users and the surrounding community feel safe and make frequent use of the trail, will not only be affected by the design of the trail right-of-way, but will also be affected by the design of surrounding

development and how this development addresses the trail. New development that has windows and entries on to the trail will help create “eyes on the trail” that discourage criminal or nuisance activity. In contrast, development that walls or closes itself off from the trail could create a corridor that feels unsafe and due to the lack of visibility onto the trail, could encourage nuisance and criminal activity. While this Village Plan does not require new development to be fully integrated with the trail corridor, without physical restrictions on public access to adjacent private property, this Village Plan does include policies to ensure that new development is visually open and connected to the trail.

Trail Frontage Policies

Trail Frontage Policy 1: New development adjacent to the trail should contribute to an inviting, attractive, and safe environment for trail users.

Trail Frontage Policy 2: New development should have windows that face or “look on to” the trail.

Trail Frontage Policy 3: Residential or mixed-use residential/commercial development adjacent to the trail should provide at least one or more direct entrances to the trail for residents of the development. New development with residential components that are adjacent to the Five Wounds trail corridor are encouraged to incorporate stoops and individual entries directly facing the trail.

Trail Frontage Policy 4: Large blank walls or solid (non-visually permeable) fences along the Five Wounds Trail are discouraged. Where solid walls adjacent to the trail are necessary, the walls should include architectural elements, landscaping and/or murals to add visual interest and soften the visual impact.

E. SETBACKS AND BUILDING PLACEMENT

In addition to the design of building’s façade, the placement of a building on a property can also significantly contribute towards, or detract from the pedestrian environment. Building that are set back from the sidewalk with parking in front of the building, are designed primarily for the automobile and do not contribute to a comfortable and inviting walking experience. In contrast, building that are located adjacent to the sidewalk are more intimate and pedestrian scale.

Setback Policies

Setback Policy 1: To establish a consistent street edge that is pedestrian oriented, new buildings along 24th Street/McLaughlin Avenue, William Street, William Court, Peach Court, and San Antonio Street should be built up to and adjacent to the sidewalk, with zero or minimal setbacks for the majority of the street facing building façades.

Setback Policy 2: Parking lots should be located behind buildings or underground, and surface parking should not be located between the sidewalk and the front façade of buildings.

Setback Policy 3: Parking located at the side of a building and adjacent to 24th Street/McLaughlin Avenue and San Antonio Street should not occupy more than 30 percent of a given property's street frontage and, for corner properties, should not be located adjacent to an intersection.

PUBLIC ART

Public Art Goal: Create an attractive and culturally rich environment that helps to establish a unique identity for the Five Wounds Trail and the 24th & William Urban Village by integrating public art and artist designed elements into both the trail and new development.

Public art integrated throughout the 24th and William Street Urban Village is key to reinforcing the visual identity of the area, celebrating its diverse cultural history, and providing significant added value to both public infrastructure and private development. Public art could occur as stand-alone art pieces; however public art in the 24th & William Urban Village is envisioned to be integrated into the streetscape, buildings, and the Five Wounds Trail, and to play a functional and not just aesthetic role. Examples of functional public art include street furniture, street or building lighting, paving treatments, bicycle racks, tree guards and grates, information signs, and gateway elements such as columns and landscaping. While this Village Plan does not intend to limit the development of public art pieces to local artists, it does encourage the consideration of local artists in the selection process and encourages the development and retention of local talent.

An existing funding mechanism that could fund public art projects is the Percent for Art Fund. This fund, which only applies to public projects on City property, allocates one percent of the total cost of a capital project towards the design, fabrication, and installation of public artworks to enhance the public project's design and add to the character of the community served by the capital improvement. The Percent for Art funds within the City of San José are managed by the Public Art Program/Office of Cultural Affairs in collaboration with the stakeholders and capital project managers. Public projects that are developed by outside public agencies could also contribute to public art; however, a public arts contribution would have to be negotiated on a case by case basis.

A potential funding source for public art that should be explored is the establishment of a percentage for art program from new private development projects. The percent for art for private development would be calculated based on estimated building valuation calculated at the time of permit issuance. Such a funding tool could potentially be applied citywide, be applied to the four Five Wounds Urban Villages (i.e. Roosevelt Park, Little Portugal, Five Wounds, and 24th & William) or could be applied to all Urban Villages and other growth areas. Regardless of how widely such a funding tool would apply, the funds collected in a given area would need to be spent within that area.

In addition to requirements for City or private contributions towards public art, developers can be encouraged, as part of the entitlement process, to integrate unique and/or artist designed building and site elements into their project. Future developments that are the Urban Village Implementation and Amenities Framework have a compliance option under the Framework to provide or contribute towards place making public art installations or publicly visible private art installations, as well as onsite privately owned and publicly accessible open spaces (POPOS) such as plazas.

Public Art Policies

Public Art Policy 1: Continue to collect the one percent for art from public projects on City property and allocate money collected within or in the vicinity of the 24th & William Urban Village to public arts projects within this Village. This may be coordinated with the Office of Cultural Affairs.

Public Art Policy 2: Integrate public art and artist designed streetscape elements, such as street furniture, bicycle racks, tree wells, pavement treatments etc., into the Five Wounds Trail right-of-way.

Public Art Policy 3: Encourage the integration of unique and artist designed elements into private development. Examples of such elements could include façade treatments, building lighting, awnings, roof accents, pavement treatments etc. Private art must be publicly viewable. This policy could be implemented through the Urban Village Implementation and Amenity Framework.

Public Art Policy 4: Prioritize public art as a key element of the Five Wounds Trail.

The following action items are contingent upon receipt of future funding.

Public Art Actions

Public Art Action 1: Explore the establishment of a public art fee on new private development in the 24th & William Urban Village to fund the development of public art in this area and consider establishing this funding mechanism as a pilot project that could be expanded to other Urban Villages and growth areas identified in the Envision San José 2040 General Plan.

Public Art Action 2: Integrate public art enhancement funding in all grant dollars solicited for trail development.

STREET AND PEDESTRIAN CIRCULATION SYSTEM

Street and Pedestrian Circulation Goal: Create a safe, convenient, and inviting pedestrian circulation system that provides direct and convenient access within the Urban Village and between the Village and the surrounding neighborhoods.

A key goal of the Envision San José 2040 General Plan, and therefore a key goal of this Village Plan, is create an urban fabric where walking is viable way to get from one place to another and the built environment is shifted away from primarily accommodating the automobile and towards one that also accommodates the pedestrian. This Village Plan seeks to create an Urban Village where people are encouraged and feel comfortable walking, and where surrounding community members are encouraged to walk from their homes to the Village. This Chapter focuses on public right-of-way improvements, and in a few locations, roadway modifications that will improve walking environment. In particular, this Village Plan makes recommendations for improvements to the intersections of the trail and roadway to improve access and convenience for future trail users.

A. SIDEWALKS

The existing sidewalks along the majority of 24th Street, William Street, San Antonio Street and the surrounding neighborhood streets are narrow, with typical widths between 4 and 4.5 feet. The widths of these sidewalks are not wide enough for two people to walk side-by-side. In addition, these narrow sidewalks do not meet the City's minimum sidewalk standard of 6 feet for residential neighborhoods. Unfortunately, it is not feasible to widen these sidewalks along most streets within this Urban Village; doing so would require expanding sidewalks onto the front yards of people's existing homes and businesses.

There are, however, opportunities to expand the width of sidewalks adjacent to the larger properties as they redevelop. New development along San Antonio and William Streets, streets with higher pedestrian volumes and with significant redevelopment opportunities, should provide a minimum public sidewalk width of at least 6-feet with a 4-foot planter and tree well. Along 24th Street and McLaughlin Avenue new commercial development or the commercial portion of a mixed-use residential/commercial development should provide a 10-foot wide sidewalk with an additional 5-feet for tree wells. To provide for the additional width for either a 10-foot or 15-foot wide combined

sidewalk and planting/tree well strip, new development may need to be setback from the property line. The setback areas on private property would then need to be paved to match the sidewalk in the public right-of-way to give the appearance of a single wider sidewalk.

Sidewalk Policies

Sidewalk Policy 1: As properties redevelop with higher intensity and/or density development along William and San Antonio Streets and Peach and William Court, establish minimum 6-foot sidewalks with 4-foot planter strips or tree wells.

Sidewalk Policy 2: Establish minimum 10-foot wide sidewalks with a 5-foot tree well strip along 24th Street/McLaughlin Avenue as properties redevelop with commercial development or with mixed-use residential/commercial development.

B. STREET TREES

Street trees provide many benefits to a corridor. Street trees can make an area more attractive, contributes towards the positive identify of a corridor and thereby encouraging private investment, increasing customers to businesses and potentially increasing property values. Street trees create inviting pedestrian areas that encourage walking by providing shade from the sun and a physical and visual barrier between pedestrians and the street. In addition, street trees can increase pedestrian safety and reduce traffic noise by causing motorists to perceive a narrower street and reduce speed. Trees, and large canopy trees in particular, can also reduce building energy costs by providing shade which naturally reduces the need for air conditioning. Trees also improve air quality by filtering pollution from the air.

The installation of street trees and other streetscape improvements along 24th Street/McLaughlin Avenue has been a top priority for the community. As a result of the community and the City's collaborative Strong Neighborhood Initiative (SNI) efforts many street trees were planted and other improvements installed, such as pedestrian scale antique street lights. There remains, however, gaps in the street trees along this corridor, either because planted trees died or were not planted in the first place. The focus of the Village Plan is to fill in these gaps that do not have street trees and to maintain the existing street trees. Future developments that are subject to the Urban Village Implementation and Amenities Framework have a compliance option under the Framework to provide or contribute towards off-site streetscape amenities such as

enhanced lighting, landscaping including street trees and other plantings, streetscapes, and connections to public transit.

William and San Antonio Streets, both of which are the primary east-west pedestrian routes to this Village, also have a significant number of street trees, many of which were planted in the last 10 years. Like 24th Street/McLaughlin Avenue, the existing street tree canopy should be maintained and the existing gaps in this canopy should be filled.

Street Tree Policy

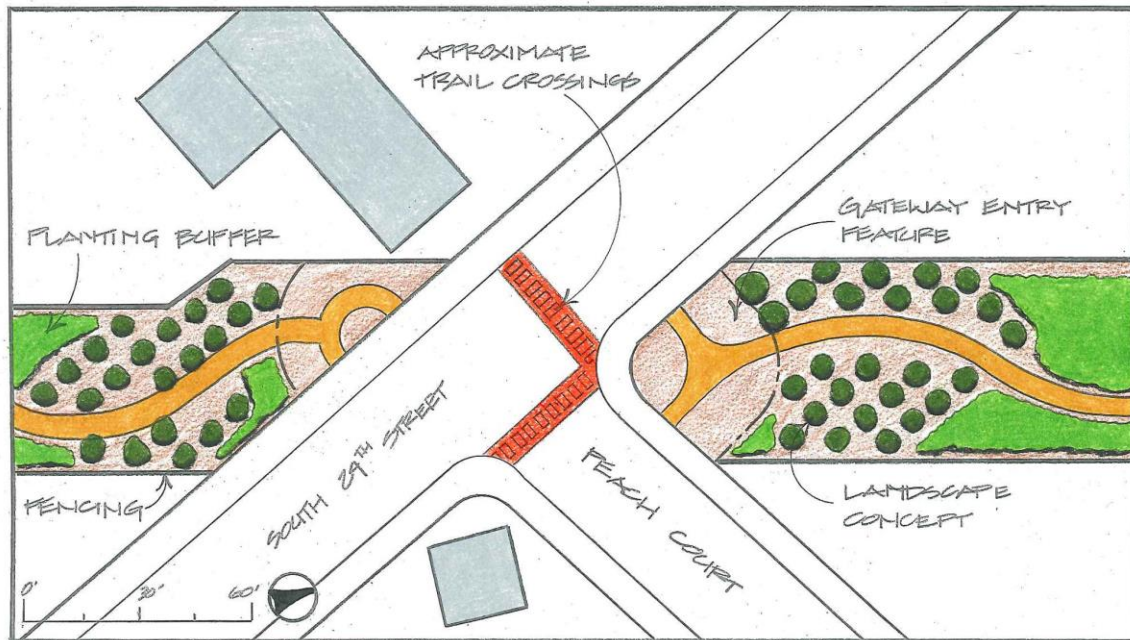
Street Tree Policy 1: Establish a consistent rows of street trees, by maintaining, and expanding the existing street tree canopy throughout the Urban Village, prioritizing the maintenance of existing and the planting of new infill street trees on 24th Street//McLaughlin Avenue, San Antonio Street and William Street.

C. ROADWAY/TRAIL INTERSECTIONS

This Village Plan recommends a number of roadway improvements to improve the connectivity of the planned Five Wounds Trail, making it safe and more convenient for trail users to cross intersecting streets. The first location of recommend trail connectivity and access improvements is at the T-intersection of Peach Court and 24th Street. The abandoned rail line crosses through this intersection at a diagonal creating an awkward interface and potentially making the intersection a barrier for trail users. To facilitate bicycle and pedestrian travel through this intersection this Village Plan recommends exploring the installation of a traffic light that could be activated by both pedestrians and bicyclists. If pedestrian and trail volumes warrant a traffic light, a pedestrian scramble traffic light should be installed. A pedestrian scramble signal would halt all motor vehicle traffic and allow pedestrians to cross in any direction, and could allow bicycles on the trail to cross 24th Street. To slow traffic and to shorten crossing distances, curb extensions and bulb outs should also be installed. The trail crossing at this intersection should then receive a special and distinct paving treatment making motorists more aware of the trail crossing. Other pedestrian circulation improvements that should be considered include enhanced crosswalks for pedestrians on the other legs of the intersection, as well as center roadway medians adjacent to the intersection. Figure 5 illustrates some of these recommended improvements.

Figure 5

South 24th Street/Peach Court Trail Intersection Concept



To facilitate north-south trail travel across San Antonio Street, this Village Plan also recommends improvements at San Antonio Street, and 23rd and William Street's intersection with the planned Five Wounds Trail. At these intersections, the San Antonio, 23rd and William Street trail crossing could be narrowed by extending the curbs into the street to create "trail head bulb-out." The trail street crossing could also be paved with a distinctive paving treatment. In addition, raising the pavement of the trail crossing relative to the roadway could also help improve the visibility of the trail to motorist and slow down traffic, much like a speed hump. Conceptual plans of these intersections are shown on Figures 6 and 7. Future developments that are subject to the Urban Village Implementation and Amenities Framework have a compliance option under the Framework to provide or contribute towards these types of improvements.

Figure 6
East San Antonio Street Trail Intersection Concept

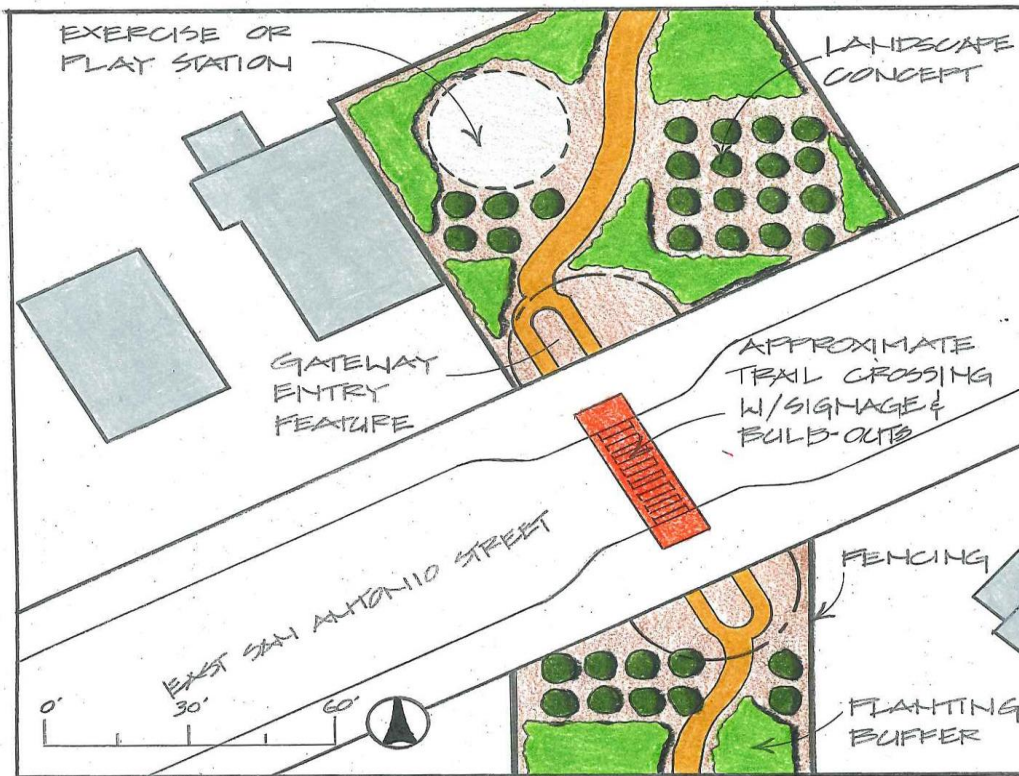
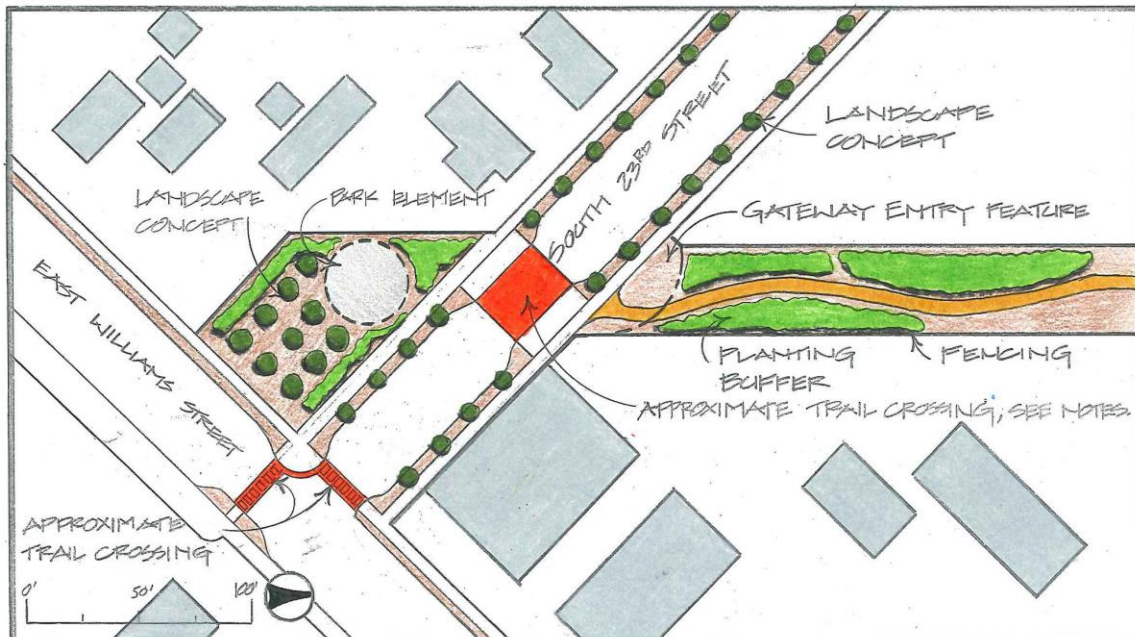


Figure 7
South 23rd St. Trail Intersection Concept



While the trail's intersections with William and 23rd Streets, 24th Street and Peach Court, and San Antonio Street are the locations needing the most attention, improvements should also be considered at the trail's intersection with more minor neighborhoods streets. These streets include: Shortridge Avenue, East San Fernando Street, and Whitton Avenue. The improvement that could best make the trail feel more continuous or less broken into short segments by cross streets, include the installation of a raised trail crossing across these streets that includes a distinct pavement treatment, consistent with the pavement treatments applied at the other trail and roadway intersections.

All of the recommended trail and roadway intersection improvements are intended to be developed in conjunction with the development of the Five Wounds Trail. In addition to capital or construction money, funding will need to be identified to maintain any enhanced pavement treatments, given that the City does not currently have a dedicated funding source for maintaining such non-standard facilities. Future developments that are subject to the Urban Village Implementation and Amenities Framework have a compliance option under the Framework to provide or contribute towards providing off-site streetscape amenities or multi-modal improvements, such as roadway improvements, enhanced lighting; landscaping, sidewalks, or streetscapes and connections to public transit.

Roadway/Trail Intersection Policy

Roadway/Trail Intersection Policy 1: Modify and improve identified roadway segments and intersections that intersect the Five Wounds trail to provide a safe and convenient experience for trail users.

The following action items are contingent upon receipt of future funding.

Roadway/Trail Intersection Actions

Roadway/Trail Intersection Action 1: As a means to provide a safe and convenient trail crossing across South 24th Street, consider, and install, if feasible and warranted, a traffic signal and pedestrian enhancements at the intersection of Peach Court and South 24th Street. Pedestrian enhancements to be considered should include enhanced crosswalks and trail crossing, bulb-outs, medians, and a pedestrian scramble traffic signal.

Roadway/Trail Intersection Action 2: Develop an enhanced trail crossing at the intersection of the Five Wounds Trail and San Antonio Street, 23rd Street, and William Street. Enhancements to be considered should include curb/sidewalk extensions to

narrow the street and pedestrian crossing distances, and a trail street crossing that is raised and includes a distinctive paving treatment.

Roadway/Trail Intersection Action 3: Develop enhanced trail crossings at the trail's intersection with Shortridge Avenue, East San Fernando Street, and Whitton Avenue. Enhancements to be considered should include the installation of a raised trail crossing with a distinctive paving treatment.

PARKING

Parking Goal: Minimize the space demands of parking through the efficient design, provision, and management of off-street parking in new development.

Accommodating automobiles through the provision of parking spaces consumes a significant amount of land, land that could be used for new development, landscaping and open spaces, and pedestrian circulation areas. For example, a typical modern suburban development in San José often has more than three times as much land dedicated for surface parking than is occupied by the commercial building the parking is intended to serve. The space demands from parking can, if not effectively managed and designed, detract from the goal of creating a walkable and vibrant Urban Village. Requiring suburban amounts of parking would also make it infeasible to redevelop many of the properties in the 24th & William Urban Village with more urban and pedestrian-oriented development. These properties are small, and, even if they are combined with adjacent properties, accommodating both significant new development and suburban levels of parking to serve this development would be impossible. The parking policies included in this Village Plan are intended to reduce the amount of land dedicated to the parking of motor vehicles and thereby increasing the amount of land available for other more active uses.

Parking Policies

Parking Policy 1: Encourage new development with residential components, and non-residential development to provide no more than or close to the minimum parking spaces required by the Zoning Code, as may be amended.

Parking Policy 2: Encourage new development with residential components, and commercial office development to unbundle or separate the sale or lease price for private parking spaces from the sale or lease price of the residential unit or commercial tenant spaces.

Parking Policy 3: Encourage the sharing of parking between uses that have different peaks in parking demand within the throughout the Urban Village area within reasonable walking distance between the use that requires the parking and the off-site parking arrangement location.

Parking Policy 4: As part of the entitlement process, ensure that new development provide off-street bicycle parking spaces as required by the City's Zoning Code, as may be amended.

Parking Action

Parking Action 1: Continue to explore the reduction of off-street parking requirements for the 24th & William Village and other Urban Villages in San José.

FIVE WOUNDS TRAIL

Trail Goal: Establish the former Western Pacific Railroad right-of-way through the 24th & William Urban Village and the Five Wounds/Brookwood Terrace Community as a multi-purpose Trail that provides both recreational opportunities and improved bicycle and pedestrian access to the planned 28th Street and Berryessa BART stations and, with a connection to the Coyote Creek trail, to destinations south of Interstate 280.

The former Western Pacific Railroad's San José spur line bisects the Five Wounds/Brookwood Terrace Strong Neighborhoods Initiative (SNI) Area and the 24th & William Urban Village, providing potential bicycle and pedestrian connections from Five Wounds/Brookwood Terrace community to the Berryessa BART Station north of US Highway 101, the planned 28th Street BART station, and Kelley Park in the south. In addition, the trail will provide connections to the planned Lower Silver Creek Trail, the planned Three Creeks Trail (also on the former Western Pacific right-of-way) and an expanded Coyote Creek Trail. This interconnected trail system would be a component of the City's planned 100-mile trail network and serve recreational and commute needs.

Completion of the Five Wounds Trail is a priority for the community, and design concepts for the Trail were developed in the BART Station Area Community Concept Plan. This BART Station Area Community Concept Plan provides a detailed understanding of the community's vision for Trail. This Village Plan incorporates many of the general recommendations for improvement to planned trail and street intersections; improvements to these intersections are discussed above in Street and Pedestrian Circulation System Chapter. This Village Plan also addresses the interface of new development with the trail; this interface is discussed above in the Urban Design Chapter.

The BART Station Area Community Concept Plan recommends two "special use" areas along the portion of the trail that is within the 24th & William Urban Village. The first special use area is located at the intersection of the Trail and San Antonio Street and the second area is at the trails intersection with William Street; these special use areas are shown in Figure 6 and 7, respectively. These areas could be developed as small pocket parks, open spaces with exercise equipment or as gateways to the trail depending on the location and identified needs of the community. Creating these areas will require the need for the acquisition of additional property beyond the railroad right-of-way.

This Village Plan recommends considering the establishment of reserve fund where Parkland Dedication Ordinance (PDO) monies collected from new development with residential components within the Five Wounds/Brookwood Terrace community, which includes the Roosevelt, Little Portugal, Five Wounds, and 24th & William Urban Village, be earmarked for the future development of the Five Wounds Trail. Upon evaluation of planned priority park projects that serve or benefit this Five Wounds Brookwood Terrace community, the Director of Parks Recreation and Neighborhood Services may recommend the establishment of a Five Wounds Trail reserve within the Parks Trust Fund with the intent to develop the Five Wounds Trail.

It must be noted that the Five Wounds Trail is presently listed as an unfunded second level priority in the City's 2009 Council Adopted Greenprint for Parks, Recreation Facilities and Trails. The trail is a second level priority in part because of the significant funding and land purchase requirements of the project and it therefore anticipated that it will take a number of years to complete project. Future developments that are subject to the Urban Village Implementation and Amenities Framework have a compliance option under the Framework to provide or contribute towards providing additional open space or park amenities and improvements.

The following action items are contingent upon receipt of future funding.

Rail Trail Actions

Rail Trail Action 1: Consider establishing a Five Wounds Trail reserve within the Parks Trust Fund in which Parkland Dedication Ordinance (PDO) monies from development occurring in the 24th & William Village and the larger Five Wounds Brookwood Terrace community could be set aside for the development of the Five Wounds Trail.

Rail Trail Action 2: In the development of the Trail, consider and incorporate, where feasible an appropriate, the concepts and design recommendations of the Five Wounds/Brookwood Terrace BART Station Area Community Concept Plan.

Rail Trail Action 3: Explore the development of special use areas along the trail, and if feasible, work with the community on the design and programming of these spaces.

Rail Trail Action 4: Work with neighborhood residents and surrounding property and business owners to develop a design for the Five Wounds Trail that meets the community's needs.

Rail Trail Action 5: Continue to pursue opportunities with VTA and the County to fund and develop the Five Wounds Trail from the planned Berryessa BART station to Kelley Park, building the trail in phases if needed.

Rail Trail Action 6: Work with Santa Clara County to pursue state and federal grants to fund the development of the Five Wounds Trail, and identify other potential funding sources such as private foundations.

IMPLEMENTATION

This Chapter provides the framework for the implementation of the 24th & William Urban Village Plan (Village Plan). The private development community will play a key role in the implementation of this Village Plan as it relies on development investment within the Village Plan area to achieve the identified improvements and many of the Village Plan's goals. While some sites in the Village Plan may generate early development interest, others could take significantly longer and implementation of the entire 24th & William Urban Village (Urban Village) could take many years. Continued community interest and political will is needed for the Urban Village to become the engaging, mixed-use, walkable, bikeable, and well-designed neighborhood that creates the sense of place that is envisioned in the Village Plan.

The City of San José (City) often does not have the level of resources needed to build the capital improvements and amenities identified in this Village Plan. Nevertheless, the City has taken steps to implement the Plan, including requirement for the provision of Village amenities and improvements in the Urban Village Implementation and Amenities Framework which apply to projects requesting a rezoning from employment uses to residential use and mixed-use residential/commercial uses. The Framework is intended to provide partial funding for urban village improvements and amenities.

Implementation topics covered in this Chapter include:

- Consistency with the Envision San José 2040 General Plan
- Land Use Regulation
- Zoning
- Affordable Housing
- Urban Village Implementation Framework
- Implementation Priorities, Policies, and Actions

Consistency with the Envision San José 2040 General Plan

The 24th & William Urban Village Plan is consistent with the Envision San José 2040 General Plan (General Plan), and furthers implementation of the General Plan's Urban Village Major Strategy. The Urban Village Major Strategy was established as the policy framework to focus new job and housing growth to create walkable and bike friendly urban villages with good access to transit, services, amenities, and other existing infrastructure and facilities.

The General Plan phases the development of urban village areas into three development Horizons. The 24th & William Urban Village Plan is part of the first Horizon of the General Plan to facilitate near-term redevelopment.

This 52-acre area is considered one of the main connections between East San José and the adjacent East Santa Clara, Roosevelt Park, 24th & William, and Five Wounds Urban Villages, and the City's Downtown. East Santa Clara Street is one of seven "Grand Boulevards," which stands out as having great potential to connect City neighborhoods and to contribute to the City's overall identity through cohesive design. Due to its importance as a major transportation route, and because of the land uses it supports, this Grand Boulevard plays an important role in shaping the City's image for its residents, workers, and visitors with the potential to act as a major urban design catalyst at a citywide scale. The Valley Transportation Authority's (VTA) Bus Rapid Transit (BRT) service runs down East Santa Clara Street, connecting East San José to Downtown San José's Diridon Station, and then continuing northwest along El Camino Real to Palo Alto. Given this location and access to transit, the 24th & William Urban Village area is anticipated to experience significant new development and growth in the coming years.

Land Use Regulation

The 24th & William Village Plan is a long-term plan for new development within the Village Plan area and has the same implementation timeframe as the General Plan. New development within the boundaries of the Urban Village must conform to the standards included in this Village Plan, the most important of these standards being land use. The City of San José has the following two primary land use controls (among others such as specific plans, area development plans, etc.) that guide future development: 1) General Plan Land Use Designations, and 2) Zoning Districts found in Title 20 of the Municipal Code. With the adoption of this Village Plan, the land use designations identified on the Land Use Diagram of this document are also incorporated into the General Plan Land Use/Transportation Diagram. Any future changes to the land use designation in the Village Plan will require an amendment to the General Plan Land Use/Transportation Diagram.

The General Plan land use designation identifies locations, types, and intensities of future development. New development is required to conform to the General Plan land use designation, which may require a rezoning of the property as part of the entitlement process for a proposed project; this Village Plan does not change the Zoning Districts to be consistent with the land use designations in this Village Plan and the General Plan.

Zoning

Rezoning may be required for consistency with the land use designations. Furthermore, any future development proposal requiring rezoning for residential components (e.g., land use designation of Urban Village, Mixed-Use, and Urban Residential,) is required to comply with the Urban Village Implementation and Amenities Framework.

Affordable Housing

Providing more affordable housing is one of the greatest challenges facing San José and providing affordable housing within the Urban Villages is a major goal of the General Plan. In addition, the Village Plan also contains a policy to integrate affordable housing within the Urban Village. Affordable housing developments that meet the criteria stated in the Urban Village Implementation and Amenities Framework may not be subject to amenities and other framework requirements.

There are both financing and programmatic tools available to increase the amount of affordable housing in San José. The financing tools include Tax Exempt Bond Financing, where developers of mixed-income or 100% affordable rental properties can work with the City to issue tax-exempt bonds, the proceeds of which are administered as loans by conventional lenders. Developers that build 100% income-restricted housing can assemble a variety of funding sources to finance their project, including federal and State low-income housing tax credits, tax-exempt bond financing, federal project-based rental vouchers, and low-cost “soft” financing subsidies from the City, County, State, and the Federal Home Loan Bank. The availability of some tax credits and most subsidy sources is typically very limited and not predictably available in all locations or at a large scale.

Two programmatic tools that support the development of affordable housing are the City’s Inclusionary Housing Ordinance and the Affordable Housing Impact Fee. Developers may satisfy their Inclusionary Housing requirement for market rate rental or for-sale units (when building 20 or more units) by providing a percentage of affordable homes on-site within their projects, or through a variety of developer options including off-site construction of affordable units, payment of the in-lieu fee, dedication of qualifying land in lieu of construction, purchasing surplus inclusionary housing credits from another developer, the acquisition and rehabilitation of existing units, providing deed-restricted units that are available to lower-income households through agreement between the developer and the U.S. Department of Housing and Urban Development, or any combination of these methods that will achieve the requisite amount of affordable housing. Because of litigation over the validity of this ordinance, the City was only able to implement this requirement in 2016 after it prevailed in the lawsuit.

With regard to market-rate rental housing, the City Council adopted the Affordable Housing Impact Fee (AHIF) Program on November 18, 2014, and which took effect on July 1, 2016. AHIF requires new market-rate rental housing developments with between three to 19 rental residential units to currently pay a one-time Affordable Housing Impact Fee as determined by the adopted ordinance, as may be amended in the future. The City will use collected fees to subsidize the development of restricted affordable housing in San José for units serving prescribed income levels. While sources of funding now exist for creating more affordable housing, additional measures are needed to encourage its production.

Urban Village Implementation Framework

This Village Plan proposes a number of improvements to the Urban Village for which the City has some existing funding and implementation tools. The City's established mechanisms, however, are often not sufficient to implement all of the improvements identified in this Village Plan. The public projects/ improvements identified in the Village Plan are listed below with a discussion on existing funding and implementation tools, including the options for compliance that are required of projects that are subject to the Framework.

Parks and Plazas

The goal of maintaining, enhancing, and expanding parks and plazas within the Plan area is discussed in the Parks, Plazas, and Placemaking Chapter of the Village Plan. Public parks and plazas are overseen by the City's Department of Parks, Recreation, and Neighborhood Services (PRNS). PRNS has a number of approaches to the development and financing of new public parks and plazas, all of which contribute to the PRNS's Capital Improvement Program (CIP):

- The Parkland Dedication (PDO) and Park Impact (PIO) Ordinances.
- Construction and Conveyance Taxes (C&C).
- Outside funding sources from grants, gifts, and other agencies like the County and State.
- Cooperative and Joint Use Agreements (most often with school districts or other public agencies).
- Bond Funding (when available).

The PRNS CIP implements the Parks and Community Facilities component of the City's adopted Capital Budget, which is approved by Council each June for the following fiscal year. The CIP is comprised of park, trail, and recreation facility projects throughout the City and is planned over a five-year forecast; the most recent 2016-2021 Adopted CIP

includes approximately \$309 million in open space and park projects. Projects within the CIP are financed through a variety of funding mechanisms, described below. The City is, however, constantly in search of new tools to improve the City's park, trail, and recreational facilities, as well as vital services offered through PRNS. One of these mechanisms is the Implementation Framework whereby development subject to the Framework must select an option or options under the Framework to provide or contribute funds toward such improvements.

Streetscape Amenities and Circulation Improvements

Street and public infrastructure projects will need to be financed and implemented through a combination of public and private funding mechanisms. Through the entitlement process for new construction, a developer will be required to plant street trees where they do not exist in front of their development, as well as dedicate right-of-way as necessary for the widening of the sidewalk. In some instances, private developers could propose funding identified improvements because these improvements would add substantial appeal to their projects. Such improvements could include special pedestrian scale streetlights, sidewalk furniture, corner curb bulb-outs, enhanced landscaping or public art. Street improvements could also include Green Infrastructure. Green Infrastructure incorporates stormwater management techniques into the built environment through enhanced landscaping and pervious surfaces rather than channeling water and runoff directly to the storm drain system.

Regional, State and federal funds are another potential funding source for the implementation of streetscape and circulation improvements. These sources do not, however, typically fund all on-going maintenance costs. To fund maintenance costs, as well as the capital improvement costs for additional services required by new development, a Special Financing District could be formed for the 24th & William Urban Village.

Projects that are subject to the Implementation Framework have a compliance option under the Framework to provide or contribute funds towards these types of improvements, in addition to the funding sources mentioned above.

Public Art

The integration of public art within this Urban Village is a placemaking strategy of the Village Plan. Public art can play a key role in reinforcing the visual identity of the area and add significant value to both public infrastructure and private development.

The City's public art program adds one percent of all eligible City of San José capital project costs towards the design, fabrication and installation of public artwork to enhance the design and add to the character of the community served by its capital improvements. Public art funds within the City are managed by the Public Art Program/Office of Cultural Affairs, and specific projects are implemented in collaboration with stakeholders and capital project managers. Public art projects that are developed by outside public agencies could also contribute to public art; however, a public arts contribution would have to be negotiated on a case by case basis. For example, VTA funded the public art enhancement program as part of the Bus Rapid Transit project along the East Santa Clara Street and Alum Rock Avenue corridor.

The inclusion of public art and public art maintenance into private development projects is highly encouraged, and is a demonstrated benefit for developers. It should be noted that future developments that are subject to the Urban Village Implementation and Amenities Framework may consider providing placemaking art installations both public or private in locations viewable by the public. However, for this Urban Village to meet its public art goals, additional funding sources or strategies need to be identified.

A Special Financing District, such as a Business Improvement District, which has been established in Downtown San José and the Willow Glen neighborhoods, could be a resource for the creation and maintenance of public art and other amenities.

IMPLEMENTATION PRIORITIES

As it is anticipated that there will continue to be strong interest in building new housing in San José and in the 24th & William Urban Village area, the City Council adopted Urban Village Implementation and Amenities Framework (Framework) is the mechanism to require the community's desired amenities as part of a project. The Framework establishes an Urban Village Amenity (UVA) program that is a mechanism to acquire amenities and public improvements from new residential and residential mixed-use development, beyond what the City typically requires development to provide. The Framework provides direction for developers to choose amenities that are priorities for a given Urban Village.

The following is the list of public improvements and amenities that are desired by the community. The UVA program could be used to provide them as part of development projects:

Affordable Housing

Market rate projects could provide affordable housing units above and beyond City ordinance requirements, however, these affordable housing units are not considered amenities that can be counted towards the Village Amenity Contribution. Projects that are 100% affordable would not need to provide additional amenities under the Framework, but would need to be consistent with the goals and policies of this Village Plan, and provide at least the minimum amount of employment/commercial space identified for a given area by the Village Plan.

Five Wounds Trail Improvements

Development of the Five Wounds Trail is a high priority Urban Village Amenity for which there is limited funding. Residential development is encouraged to contribute towards the design and development of the trail. Through the Framework, new development could contribute funds or improvements for the development of the trail or special assistance to the City for acquisition of the trail right-of way, or improve and/or dedicate land for the trail; any of these efforts that are above and beyond the required Parks Impact Fee an Urban Village Amenity Framework option.

Urban Plazas

Fully publicly-accessible urban parks, plazas, and paseos for which there is limited funding are desired in the Village Plan. These spaces are often called Privately-Owned Public Open Space (POPOS). Types of spaces include dog parks and residential open spaces. The provision of POPOS is a compliance option for projects that are subject to the Implementation Framework.

Streetscape Amenities

Development projects may build or contribute to upgrades including attractive sidewalks, benches, and trees along its project frontage and beyond and are a compliance option for projects subject to the Implementation Framework. These can include street furniture, pedestrian scale lighting, drinking fountains, historic placards, integrated public art, street banners, and attractive trash and recycling receptacles

Circulation Improvements

Development projects may build or contribute to circulation improvements like corner bulb-outs, enhanced sidewalks, enhanced crosswalks, and the incorporation of green infrastructure in sidewalks and urban plazas above and beyond standard requirements as a compliance option for projects subject to the Implementation Framework.

Public Art

To encourage the integration of public art features within the 24th & William Urban Village, development could incorporate publicly viewable private art within the given project, or provide public art or money to fund public art elsewhere within the Urban Village area. The provision of such art is a compliance option for projects subject to the Implementation Framework.

Commercial Development

Should a residential mixed-use project construct commercial space at 50% or more above the minimum commercial space requirement under approved Urban Village Plans, it can be considered as a community amenity that complies or partially complies with the requirements of the Framework for projects that are subject to the Framework.

Special Financing District

Special Financing Districts are established by local businesses and/or property owners as a “special benefit assessment” to fund maintenance and capital enhancements in a District. They can be used for these purposes, and for marketing, small business assistance, maintenance, security services, public art, streetscape improvement and special events.

Implementation Policy

Implementation Policy 1: Projects must conform to the City Council Urban Village Implementation and Amenities Framework, adopted May 22, 2018, as may be amended in the future.

The following action items are contingent upon receipt of future funding.

Implementation Actions

Implementation Action 1: If, by January 1, 2026, the Federal Transit Administration has not approved a full funding grant agreement for the construction of "Phase II" of the Silicon Valley Rapid Transit (BART) extension that includes a station within the Five Wounds Urban Village Plan area, the City Manager shall place all four of the Five Wounds Area Village Plans on the Council agenda to re-examine the feasibility of development according to the plans.

Implementation Action 2: Actively market the 24th & William Urban Village to potential developers who build urban walkable commercial and mixed-use development.

Implementation Action 3: Develop a Multimodal Transportation and Streetscape Plan for East Santa Clara Street/Alum Rock Avenue, from Coyote Creek to King Road. This Plan should identify the design and location of specific streetscape and other transportation improvements that could be constructed by private development proposals, through the City's CIP program or by outside grant funding.

Implementation Action 4: Actively seek external funding to finance and implement advancement of these Village Plans.